IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

CIVIL APPLICATION NO.1859/2007

M/s. Vrajlal Manilal And Co., Gondia through its partners

...Versus...

Haran Bidi Suppliers, Nizamabad through its partner and others

---

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	**Court's or Judge's orders**

(Mrs. S.M. Ambulkar, Adv. for applicant)

CORAM :- A.B. Chaudhari, J.
DATED :- 26.10.2007

This is an application for condonation of delay in filing Misc. Civil Application for restoration of the Appeal Against Order.

Advocate Mrs. Ambulkar for applicant argued that when the appeal was listed for final hearing, learned Counsel for appellant could not attend as the case was not marked in his office. The fact of dismissal of the case also came to be known after about 97 days and that is why the delay of 97 days in filing application for restoration is occurred. The respondents though served are absent.

For the reasons stated in the civil application and having heard learned Counsel for the applicant, I am satisfied that good and sufficient grounds exist for condoning the delay.

Hence, the delay is condoned. Civil Application is allowed.

MISC. CIVIL APPLICATION ST. NO. 19784/2006

This is an application for restoration of Appeal Against Order, that was dismissed in default in the absence of the appellant and his Counsel.

Having heard Counsel for the applicant and having seen the reasons furnished in the Misc. Civil Application, I am satisfied that good and sufficient reasons exist for allowing the Misc. Civil Application. Hence, Misc. Civil Application is allowed. The appeal is restored to file. Office to proceed.

Misc. Civil Application is disposed of.

JUDGE

ssw